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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ANDREW A. WIEDERHORN, et al.,  
  
Defendants.

No. CR 24-00295-RGK

STIPULATION REGARDING REQUEST FOR  
(1) CONTINUANCE OF TRIAL DATE AND  
(2) FINDINGS OF EXCLUDABLE TIME  
PERIODS PURSUANT TO SPEEDY TRIAL  
ACT

**CURRENT TRIAL DATE:** 10/28/25

Plaintiff United States of America, by and through its counsel of record, the United States Attorney for the Central District of California and Assistant United States Attorneys Benedetto L. Balding and Kevin B. Reidy, and defendant Andrew A. Wiederhorn, individually and by and through his counsel of record, Douglas M. Fuchs; William J. Amon, individually and by and through his counsel of record, Gordon A. Greenberg; Rebecca D. Hershinger, by and through her counsel of record, Michael J. Proctor; and FAT Brands Inc., by and

1 through its counsel of record, Vicki Chou, hereby jointly stipulate  
2 as follows:

3 1. The Indictment in this case was filed on May 9, 2024.  
4 Defendant Wiederhorn first appeared before a judicial officer of the  
5 court in which the charges in this case were pending on May 10, 2024;  
6 the other defendants first appeared before a judicial officer of this  
7 Court on June 4, 2024. The Speedy Trial Act, 18 U.S.C. § 3161,  
8 originally required that defendant Wiederhorn's trial commence on or  
9 before July 19, 2024, and that the trial against the remaining three  
10 defendants commence on or before August 13, 2024.

11 2. On May 10, 2024, the Court set a trial date of July 2,  
12 2024, for defendant Wiederhorn; on June 4, 2024, the Court set a  
13 trial date of July 30, 2024, for the remaining defendants.

14 3. On June 11, 2024, the Parties filed a Stipulation Regarding  
15 Request for Continuance of Trial Date, asking that the Court move the  
16 trial date to October 28, 2025.

17 4. On June 14, 2024, the Court granted the Parties' Request  
18 for Continuance of Trial Date and set trial for October 28, 2025, for  
19 all defendants.

20 5. On September 9, 2024, defendants filed a Motion to Compel  
21 the Production of Outstanding Discovery, which included numerous IRS  
22 collection files for Mr. Wiederhorn and entities related to defendant  
23 FAT Brands, Inc.

24 6. On September 23, 2024, the government filed an opposition  
25 to defendants' Motion to Compel the Production of Outstanding  
26  
27  
28

1 Discovery, but noted to the Court that it will produce the requested  
2 IRS collection files.<sup>1</sup>

3 7. On October 9, 2024, the Court granted defendants Motion to  
4 Compel the Production of Outstanding Discovery in part and concluded  
5 that, because there is no dispute that the government must produce  
6 the IRS collection files, this portion of defendants' motion was  
7 moot.

8 8. On February 11, 2025, defendants filed an Unopposed *Ex*  
9 *Parte* application for an order (1) Continuing the Trial Date; and (2)  
10 Finding of Excludable Time Periods pursuant to Speedy Trial Act.  
11 This continuance request was made on the grounds that lead counsel  
12 for defendant Wiederhorn, Mr. Fuchs, and lead counsel for defendant  
13 Amon, Mr. Greenberg, lost their homes in the recent Palisades fire.  
14 As a result, both Mr. Fuchs and Mr. Greenberg lost irreplaceable  
15 hardcopy work product that was critical to defendant Wiederhorn's and  
16 defendant Amon's defenses. In addition, both Mr. Fuchs and Mr.  
17 Greenberg were forced to spend substantial time addressing their  
18 personal displacement. For these reasons, and to ensure continuity  
19 of counsel, defendants sought to continue the trial date from October  
20 28, 2025, to February 24, 2026.

21 9. On February 13, 2025, the Court denied defendants Unopposed  
22 *Ex Parte* application for an order (1) Continuing the Trial Date; and  
23 (2) Finding of Excludable Time Periods pursuant to Speedy Trial Act  
24 finding there was no good cause shown.

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27 <sup>1</sup> In subsequent meetings between the government and defendants,  
28 the government agreed that the requested IRS collection files are  
discoverable. The government further agreed to undertake a search for  
these materials and produce the relevant information consistent with  
its discovery obligations.

1           10. On April 14, 2025, Defendant Wiederhorn filed a Motion to  
2 Compel Production of Outstanding Discovery relating to materials from  
3 a government investigation that occurred in the early 2000s  
4 concerning loans defendant Wiederhorn received.

5           11. On May 19, 2025, the Court granted in part defendant  
6 Wiederhorn's Motion to Compel Production of Outstanding Discovery  
7 ordering that the government produce any exculpatory facts contained  
8 in an IRS-CI Special Agent Report that was generated in the early  
9 2000s.

10           12. On May 30, 2025, the government produced a redacted version  
11 of the IRS-CI Special Agent Report, which attached a "List of  
12 Witnesses and Exhibits."

13           13. Defendants have requested all discoverable material related  
14 to the 2000s investigation into defendant Wiederhorn's 1990s loans  
15 that relate in any way to the witnesses and reports referenced in the  
16 "List of Witnesses and Exhibits" that was attached to the IRS-CI  
17 Special Agent Report.

18           14. The government has produced approximately three million  
19 pages of discovery to the defendants, including over 100 witness  
20 statements and other reports of investigation; certain IRS materials,  
21 voluminous auditor, bank, and other financial records, pleadings and  
22 other records from other criminal and civil litigation, search  
23 warrants, affidavits in support of such warrants, and related  
24 information. The government anticipates producing additional  
25 discovery to the defendants as set forth below and consistent with  
26 its ongoing discovery obligations.

27           15. While complying with its discovery obligations and  
28 gathering discovery from third-party witnesses, the government

1 encountered unforeseen technical and metadata issues that caused  
2 unavoidable production delays with respect to a large amount of the  
3 discovery. The government was also forced to address privilege  
4 issues that were unexpectedly raised, causing additional delays in  
5 producing discovery to defendants. As a result, the government  
6 produced over a million pages of discovery to the defendants months  
7 later than it originally anticipated. Defendants later asked the  
8 government to re-produce these documents to address various metadata  
9 and technical issues in the original productions. The government  
10 accommodated those requests. Defendants did not receive the  
11 materials in an unencrypted or searchable format until February 2025.  
12 These unanticipated delays were not envisioned when the parties  
13 originally stipulated to the October 28, 2025 trial date.

14 16. On June 24, 2025, the parties filed a joint Stipulation  
15 Regarding Request for Continuance of Trial Date, asking that the  
16 Court move the trial date to February 24, 2026.

17 17. On July 7, 2025, the parties appeared for a hearing  
18 regarding the parties' continuance request. The Court informed the  
19 parties that it could continue the fraud trial but that the only date  
20 available on the Court's calendar around the parties' requested  
21 February 24, 2026 trial date was January 13, 2026. At the hearing,  
22 the Court advised defendants personally as to their rights under the  
23 Speedy Trial Act, defendants knowingly and voluntarily agreed to the  
24 continuance of the trial date, and waived their right to be brought  
25 to trial earlier than January 13, 2026.

26 18. The three natural-person defendants are released on bond  
27 pending trial. The government estimates that trial in this matter  
28 will last approximately three weeks; defendants estimate that the

1 trial in this matter will last approximately six to eight weeks. All  
2 defendants are currently joined for trial and a severance has not yet  
3 been requested or granted.

4 19. By this joint stipulation, the government and defendants  
5 jointly move to continue the trial date. This is the third request  
6 for a continuance.

7 20. The parties request the continuance based upon the  
8 foregoing and following facts, which the parties believe demonstrate  
9 good cause to support the appropriate findings under the Speedy Trial  
10 Act:

11 a. Defendant Wiederhorn is charged with a 26 U.S.C.  
12 § 7212(a): Endeavoring to Obstruct the Administration of the Internal  
13 Revenue Code; 26 U.S.C. § 7201: Evasion of Payment and Assessment of  
14 Tax; 18 U.S.C. § 1343: Wire Fraud; 15 U.S.C. §§ 78m(k), 78ff:  
15 Extension and Maintenance of Credit in the Form of Personal Loan from  
16 Issuer to Executive Officer; 15 U.S.C. §§ 78m(b)(2)(B), 78ff(a) and  
17 17 C.F.R. § 240.13b2-2: False Statements and Omission of Material  
18 Facts in statements to Accountants in connection with Audits and  
19 Reviews; 18 U.S.C. § 1350(c)(2), 17 C.F.R. §§ 229.402, 229.404:  
20 Certifying Faulty Financial Reports; and 18 U.S.C. § 2(b): Willfully  
21 Causing Acts To Be Done.

22 b. Defendant Amon is charged with violations of 26 U.S.C.  
23 § 7206(2): Aiding and Assisting Filing of False Tax Returns.

24 c. Defendant Hershinger is charged with violations of 18  
25 U.S.C. § 1343: Wire Fraud; 15 U.S.C. §§ 78m(k), 78ff: Extension and  
26 Maintenance of credit in the Form of Personal Loan from Issuer to  
27 Executive Officer; 15 U.S.C. §§ 78m(b)(2)(B), 78ff(a) and 17 C.F.R.  
28 § 240.13b2-2: False Statements and Omission of Material Facts in

1 statements to Accountants in connection with Audits and Reviews; 18  
2 U.S.C. § 1350(c)(2), 17 C.F.R. §§ 229.402, 229.404: Certifying Faulty  
3 Financial Reports; 18 U.S.C. § 1001(a)(2): Making False Statements;  
4 and 18 U.S.C. § 2(b): Willfully Causing Act To Be Done.

5 d. Defendant FAT Brands Inc. is charged with violations  
6 of 15 U.S.C. §§ 78m(k), 78ff: Extension and Maintenance of credit in  
7 the Form of Personal Loan from Issuer to Executive Officer.

8 e. In complying with its discovery obligations, the  
9 government continues to search for additional material related to the  
10 2000s investigation into defendant Wiederhorn's 1990s loans. It is  
11 also searching for additional discoverable materials that relate to  
12 the witnesses and reports referenced in the "List of Witnesses and  
13 Exhibits" that is attached to the recently produced IRS-CI Special  
14 Agent Report based on defendants' request. Given that this material  
15 is from an investigation that is more than twenty years old and  
16 involves the search of numerous offices including, but not limited  
17 to, the Oregon United States Attorney's Office, the Department of  
18 Justice, Tax Division, Main Justice in D.C., the FBI, and the IRS,  
19 the government requires additional time to search for discoverable  
20 material in all of its files to ensure its complying with its  
21 discovery obligations.

22 f. Due to the delays caused by unforeseen technical,  
23 metadata, and privilege issues, defendants received over a million  
24 pages of discovery months later than the government originally  
25 anticipated producing the documents. This delay, and subsequent  
26 metadata and technical issues, have hindered defendants' review of  
27 the voluminous discovery and their ability to identify witnesses who  
28

1 may possess relevant information. It has also delayed defendants'  
2 ability to identify and prepare expert witnesses.

3 g. The government is still searching for and determining  
4 whether there are outstanding items from IRS collection files for  
5 defendant Wiederhorn and entities related to defendant FAT Brands,  
6 Inc. To the extent additional discovery exists, it will be produced  
7 to defendants in the coming months.

8 h. Defendants will require time to review existing and  
9 forthcoming productions in connection with preparing their defenses  
10 for trial. The IRS-CI Special Agent Report production was hundreds  
11 of pages and identified dozens of additional witnesses defendants  
12 will likely need to interview. Moreover, the ongoing review of the  
13 over a million pages of discovery that was produced to defendants  
14 months later than it was originally anticipated to be produced will  
15 necessitate additional investigation. Thus, a continuance of the  
16 trial is necessary to mitigate any potential prejudicial impact from  
17 the foregoing.

18 i. Mr. Fuchs and Mr. Greenberg—lead trial counsel for Mr.  
19 Wiederhorn and Mr. Amon, respectively, continue to experience immense  
20 hardship as a result of losing their homes in the Palisades fire.  
21 Mr. Fuchs and Mr. Greenberg are still forced to devote significant  
22 time to addressing their displacement and recreating valuable  
23 hardcopy work product that was destroyed in the fire.

24 j. In light of the foregoing, the parties believe that  
25 additional time is necessary for the government to produce additional  
26 discovery and for defendants to conduct and complete an independent  
27 investigation of the case, review all discovery and potential  
28 evidence in this case, and prepare for trial. The parties represent



1 that failure to grant the continuance would deny them reasonable time  
2 necessary for effective preparation, taking into account the exercise  
3 of due diligence. Defendants further believe that failure to grant  
4 the continuance will deny them continuity of counsel.

5 k. The requested continuance is not based on congestion  
6 of the Court's calendar, lack of diligent preparation on the part of  
7 the attorney for the government or the defense, or failure on the  
8 part of the attorney for the government to obtain available  
9 witnesses.

10 21. For purposes of computing the date under the Speedy Trial  
11 Act by which defendant's trial must commence, the parties agree that  
12 the time period of October 28, 2025 to the new trial date, inclusive,  
13 should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A),  
14 (h)(7)(B)(i), and (h)(7)(B)(iv) because the delay results from a  
15 continuance granted by the Court at the parties' joint request on the  
16 basis of the Court's finding that: (i) the ends of justice served by  
17 the continuance outweigh the best interest of the public and  
18 defendant in a speedy trial; (ii) failure to grant the continuance  
19 would be likely to make a continuation of the proceeding impossible,  
20 or result in a miscarriage of justice; (iii) failure to grant the  
21 continuance would unreasonably deny defendant continuity of counsel  
22 and would deny defense counsel the reasonable time necessary for  
23 effective preparation, taking into account the exercise of due  
24 diligence; and (iv) the case is so unusual and so complex, due to the  
25 nature of the prosecution, the number of defendants, and the  
26 existence of novel questions of fact and law that it is unreasonable  
27 to expect preparation for pre-trial proceedings or for the trial  
28 itself within the time limits established by the Speedy Trial Act.

1           22. Nothing in this stipulation shall preclude a finding that  
2 other provisions of the Speedy Trial Act dictate that additional time  
3 periods be excluded from the period within which trial must commence.  
4 Moreover, the same provisions and/or other provisions of the Speedy  
5 Trial Act may in the future authorize the exclusion of additional  
6 time periods from the period within which trial must commence.

7           IT IS SO STIPULATED.

8           Dated: July 14, 2025

Respectfully submitted,

9                           BILAL A. ESSAYLI  
10                          United States Attorney

11                          CHRISTINA T. SHAY  
12                          Assistant United States Attorney  
13                          Chief, Criminal Division

14   /s/  
15   \_\_\_\_\_  
16   KEVIN B. REIDY  
17   BENEDETTO L. BALDING  
18   Assistant United States Attorney

19   Attorneys for Plaintiff  
20   UNITED STATES OF AMERICA  
21  
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1 I am ANDREW A. WIEDERHORN's attorney. I have carefully discussed  
2 every part of this stipulation and the continuance of the trial date  
3 with my client. I have fully informed my client of his Speedy Trial  
4 rights. To my knowledge, my client understands those rights and agrees  
5 to waive them. I believe that my client's decision to give up the  
6 right to be brought to trial earlier than January 13, 2026, is an  
7 informed and voluntary one.

8 

7/14/2025

9  
10 DOUGLAS M. FUCHS  
Attorney for Defendant  
11 ANDREW A. WIEDERHORN

Date

12 I have read this stipulation and have carefully discussed it with  
13 my attorney. I understand my Speedy Trial rights. I voluntarily agree  
14 to the continuance of the trial date, and give up my right to be brought  
15 to trial earlier than January 13, 2026. I understand that I will be  
16 ordered to appear at the United States District Court at 255 East  
17 Temple Street, Los Angeles, CA 90012, Courtroom 850, 8th Floor for  
18 trial.

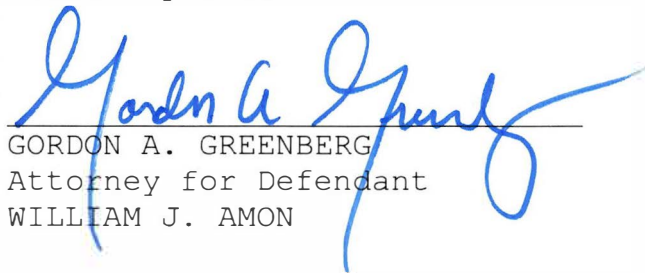
19 

7/14/2025

20  
21 ANDREW A. WIEDERHORN  
Defendant

Date

1 I am WILLIAM J. AMON's attorney. I have carefully discussed every  
2 part of this stipulation and the continuance of the trial date with my  
3 client. I have fully informed my client of his Speedy Trial rights.  
4 To my knowledge, my client understands those rights and agrees to waive  
5 them. I believe that my client's decision to give up the right to be  
6 brought to trial earlier than January 13, 2026, is an informed and  
7 voluntary one.

8   
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10 GORDON A. GREENBERG  
11 Attorney for Defendant  
WILLIAM J. AMON

7/14/25  
Date

12 I have read this stipulation and have carefully discussed it with  
13 my attorney. I understand my Speedy Trial rights. I voluntarily agree  
14 to the continuance of the trial date, and give up my right to be brought  
15 to trial earlier than January 13, 2026. I understand that I will be  
16 ordered to appear at the United States District Court at 255 East  
17 Temple Street, Los Angeles, CA 90012, Courtroom 850, 8th Floor for  
18 trial.

19  
20  
21 WILLIAM J. AMON  
22 Defendant

Date

1 I am WILLIAM J. AMON's attorney. I have carefully discussed every  
2 part of this stipulation and the continuance of the trial date with my  
3 client. I have fully informed my client of his Speedy Trial rights. To  
4 my knowledge, my client understands those rights and agrees to waive  
5 them. I believe that my client's decision to give up the right to be  
6 brought to trial earlier than January 13, 2026, is an informed and  
7 voluntary one.

8  
9 \_\_\_\_\_  
10 GORDON A. GREENBERG  
11 Attorney for Defendant  
12 WILLIAM J. AMON

\_\_\_\_\_  
Date

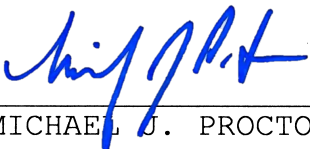
13 I have read this stipulation and have carefully discussed it with  
14 my attorney. I understand my Speedy Trial rights. I voluntarily agree  
15 to the continuance of the trial date, and give up my right to be  
16 brought to trial earlier than January 13, 2026. I understand that I  
17 will be ordered to appear at the United States District Court at 255 East  
18 Temple Street, Los Angeles, CA 90012, Courtroom 850, 8th Floor for  
19 trial.

20 \_\_\_\_\_  
21 WILLIAM J. AMON  
22 Defendant

07/14/2026

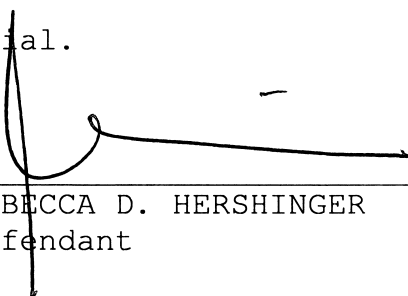
\_\_\_\_\_  
Date

I am REBECCA D. HERSHINGER's attorney. I have carefully discussed every part of this stipulation and the continuance of the trial date with my client. I have fully informed my client of her Speedy Trial rights. To my knowledge, my client understands those rights and agrees to waive them. I believe that my client's decision to give up the right to be brought to trial earlier than January 13, 2026, is an informed and voluntary one.

  
MICHAEL J. PROCTOR  
Attorney for Defendant  
REBECCA D. HERSHINGER


July 14, 2025  
Date

I have read this stipulation and have carefully discussed it with my attorney. I understand my Speedy Trial rights. I voluntarily agree to the continuance of the trial date, and give up my right to be brought to trial earlier than January 13, 2026. I understand that I will be ordered to appear at the United States District Court at 255 East Temple Street, Los Angeles, CA 90012, Courtroom 850, 8th Floor for trial.

  
REBECCA D. HERSHINGER  
Defendant


7/14/2025  
Date

1 I am FAT BRANDS INC.'s attorney. I have carefully discussed every  
2 part of this stipulation and the continuance of the trial date with my  
3 client. I have fully informed my client of its Speedy Trial rights.  
4 To my knowledge, my client understands those rights and agrees to waive  
5 them. I believe that my client's decision to give up the right to be  
6 brought to trial earlier than January 13, 2026, is an informed and  
7 voluntary one.

8  
9   
10 VICKI CHOU  
11 Attorney for Defendant  
FAT BRANDS INC.

July 14, 2025  
Date

12 As the authorized representative of FAT BRANDS INC., I have read  
13 this stipulation and have carefully discussed it with FAT BRANDS INC.'s  
14 attorney. I understand FAT BRANDS INC.'s Speedy Trial rights. On  
15 behalf of FAT BRANDS INC., I voluntarily agree to the continuance of  
16 the trial date, and give up FAT BRANDS INC.'s right to be brought to  
17 trial earlier than January 13, 2026. I understand that I or another  
18 representative will be ordered to appear at the United States District  
19 Court at 255 East Temple Street, Los Angeles, CA 90012, Courtroom 850,  
20 8th Floor for trial.

21  
22   
23 VICKI CHOU for FAT BRANDS INC.  
24 Defendant

July 14, 2025  
Date